

Status Report BOF Proposed Road Management Plan, 2005

Overview

The Board of Forestry and Fire Protection directed staff during its August 11, 2005 Board meeting to review public comments for the proposed Road Management Plan, 2005 regulation(45 Day Notice published 5/27/05). The review was to include BOF and CDF legal counsel. The review was conducted during the period of August 15th – September 7th, 2005.

After conducting this review, the Forest Practice Committee chairman decided to make a recommendation to the full Board on the status of the regulation. That decision includes returning the regulation to committee and developing further edits. This decision was necessitated by fair arguments brought forward by the public and by CDF regarding adequacy of standards in accordance with CEQA requirements.

Future Courses of Action

The FPC chairman has directed staff to continuing preparing the regulation with revisions that reflect public input. The revisions will focus on the following topics:

- 1) Revise the regulation with the intention of it serving as a programmatic document, as defined under CEQA 21080.5.
- 2) Prepare the regulation for submission to the Resources Secretary as Certified Regulatory Program.
- 3) Incorporate into the regulation all components necessary for a Certified Regulatory Program including:
 - (A) Includes protection of the environment among its principal purposes.
 - (B) Contains authority for the administering agency to adopt rules and regulations for the protection of the environment.
 - (C) Require that an activity will not be approved or adopted as proposed if there are feasible alternatives or feasible mitigation measures available that would substantially lessen a significant adverse effect that the activity may have on the environment.
 - (D) Include guidelines for the orderly evaluation of proposed activities and the preparation of the plan or other written documentation in a manner consistent with the environmental protection purposes of the regulatory program.
 - (E) Require the administering agency to consult with all public

agencies that have jurisdiction, by law, with respect to the proposed activity.

(F) Require that final action on the proposed activity include the written responses of the issuing authority to significant environmental points raised during the evaluation process.

(G) Require the filing of a notice of the decision by the administering agency on the proposed activity with the Secretary of the Resources Agency.

(H) Require notice of the filing of the plan or other written documentation to be made to the public and to a person who requests, in writing, notification.

(I) Includes a description of the proposed activity with alternatives to the activity, and mitigation measures to minimize any significant adverse effect on the environment of the activity.

(J) Is available for a reasonable time for review and comment by other public agencies and the general public.

- 4) Improve regulation to better meet APA requirements for clarity, consistency and necessity.
- 5) Consider reformatting regulation content to reflect content and filing requirements of a Programmatic Timber Environmental Impact Report (PEIR), as described under 14 CCR Article 6.8 Program EIR and THP.

End 9/12/05